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UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

10 CALIFORNIA DRYWALL/LATHING) No. CV 09-03531 JSW
11 INDUSTRY LABOR-MANAGEMENT)
12 COOPERATION COMMITTEE, INC., and THE)
13 BOARD OF TRUSTEES, in their capacities as)
14 Trustees of the CARPENTERS HEALTH AND)
15 WELFARE TRUST FUND FOR CALIFORNIA;)
16 CARPENTERS VACATION-HOLIDAY TRUST) **EX PARTE APPLICATION FOR**
17 FUND FOR NORTHERN CALIFORNIA;) **CONTINUANCE OF CASE**
18 CARPENTERS PENSION TRUST FUND FOR) **MANAGEMENT CONFERENCE;**
19 NORTHERN CALIFORNIA; CARPENTERS) **(PROPOSED) ORDER**
20 ANNUITY TRUST FUND FOR NORTHERN)
21 CALIFORNIA; and CARPENTERS TRAINING)
TRUST FUND FOR NORTHERN CALIFORNIA,)
Plaintiffs,)
v.)
MLR DRYWALL SERVICES, INC. California)
Corporation,)
Defendant.)

22 TO: THE CLERK OF THE COURT AND DEFENDANT MLR DRYWALL
23 SERVICES, INC. California Corporation:

24 Pursuant to Civil Local Rule 7-10, Plaintiffs hereby request that the initial Case
25 Management Conference scheduled for November 13, 2009 be continued for ninety days to allow
26 Plaintiffs to file a Motion for Default Judgment.

27 Plaintiffs served its Complaint in this matter on August 24, 2009. When a responsive

1 pleading was not filed, Plaintiffs filed a Request for Entry of Default on October 9, 2009. Given
2 these facts, Plaintiffs believe that the Case Management Conference should be continued for ninety
3 days in order to allow Plaintiffs to file a Motion for Default Judgment.

4 The above stated facts are set forth in the accompanying Declaration of Concepción E.
5 Lozano-Batista in Support of Ex Parte Application to Continue Case Management Conference,
6 filed herewith.

7 Dated: October 15, 2009

8 WEINBERG, ROGER & ROSENFELD
9 A Professional Corporation

10 By: /s/ Concepción E. Lozano-Batista
11 CONCEPCIÓN E. LOZANO-BATISTA
12 Attorneys for Plaintiffs

13 **ORDER CONTINUING CASE MANAGEMENT CONFERENCE**

14 Based upon the foregoing Ex Parte Application for Continuance of Case Management
15 Order and Declaration of Concepción E. Lozano-Batista in Support of Ex Parte Application to
16 Continue Case Management Conference, the Court orders a continuance of the Case Management
17 Conference for ~~90 days, or as soon thereafter as a court date is available. In addition, the Court~~
18 ~~orders~~: February 12, 2010 at 1:30 p.m. If a motion for default judgment is filed before that
19 date, the case management conference shall be vacated.

20 Dated: October 15, 2009

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22 HONORABLE JEFFREY S. WHITE
23 United States District Court Judge

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